



THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

HANSEN

SERIAL NO.: 09/741,297

FILED: December 19, 2000

TITLE: Plant Transformation Methods  
Under Conditions That Inhibit  
*Agrobacterium* Induced Necrosis

GROUP ART UNIT: 1638

EXAMINER: Kruse, David H.

DOCKET NO.: S-30025D

RECEIVED

APR 29 2002

TECH CENTER 1600/2900

**REPLY TO RESTRICTION/ELECTION REQUIREMENT**  
**AND PRELIMINARY AMENDMENT**

U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 2202

Sir:

In the Office Action of February 15, 2002 the claims were restricted to one of seven groups: Group I (claims 1-8), Group II (claim 9), Group III (claim 10), Group IV (claim 11), Group V (claim 12), Group VI (claim 13), and Group VII (claims 14-19).

**Provisional Election**

Applicant hereby provisionally elects to prosecute the invention of Group I, represented by claims 1-8. This election is made with traverse and without prejudice to, or disclaimer of, the other claims or inventions disclosed.

**In the Claims**

Please amend claims 1, 2, and 3 as shown below in clean, re-written form:

1. A method of transforming a plant cell or tissue with a gene of interest, comprising exposing said plant cell or tissue to *Agrobacterium* under conditions which inhibit *Agrobacterium* induced necrosis (AIN), wherein said *Agrobacterium* comprises a vector comprising said gene of interest.